

ADOPTED BY THE
MAYOR AND COUNCIL

July 9, 2013

ORDINANCE NO. 11096

RELATING TO A PROPOSED PERMANENT INCREASE IN THE CITY OF TUCSON'S BASE EXPENDITURE LIMITATION; PURSUANT TO ARTICLE IX, SECTION 20, SUBSECTION 6 OF THE ARIZONA CONSTITUTION, REFERRING TO THE CITY'S QUALIFIED ELECTORS A PROPOSAL TO ADOPT A PERMANENT INCREASE IN THE CITY'S BASE EXPENDITURE LIMITATION, WHICH WAS LAST ADJUSTED BY VOTER APPROVAL IN 1987; CALLING A SPECIAL ELECTION ON THE PROPOSAL; SPECIFYING THE FORM OF BALLOT FOR THIS SPECIAL ELECTION; AND DECLARING AN EMERGENCY.

WHEREAS, Article IX, § 20, Subsection 6 of the Arizona Constitution and A.R.S. § 41-563.01 authorize the Mayor and Council, by a two-thirds vote at a special meeting, to refer a permanent adjustment to the City's State-imposed base expenditure limitation to its qualified electors at a regularly scheduled general election, and further provides that if the permanent adjustment to the base expenditure limitation is adopted, it shall be used in determining the City's expenditure limitation pursuant to Article IX, Section 20, Subsection 1 beginning with the fiscal year immediately following the approval; and

WHEREAS, the Mayor and Council, after two public hearings, has determined that a permanent adjustment to the City's State-imposed base expenditure limitation is necessary for the City, and, consistent with the constitutional authorization in Article IX, § 20, Subsection 6 of the Arizona Constitution, wishes to refer such a perma-

nent adjustment to the City's qualified electors at a special election held at the same time as the City's next regularly scheduled general election; and

WHEREAS, pursuant to Tucson Charter Chapter XVI, § 3 and A.R.S. § 16-204, the City's next regularly scheduled general election, the 2013 General Election for the election of Council Members for Wards 3, 5, and 6, will occur on Tuesday, November 5, 2013; and

WHEREAS, A.R.S. §§ 41-563.03, 19-125, and 16-502 prescribe the permissible form of ballot for this special election; and

WHEREAS, additionally, Article IX, § 20, Subsection 6 of the Arizona Constitution requires that the impact of the permanent adjustment to the City's State-imposed base expenditure limitation appear on the ballot and in publicity pamphlets; and

WHEREAS, Tucson Charter Chapter XVI, § 6 states that Mayor and Council shall, by ordinance, provide for the holding of all municipal elections, while Tucson Charter Chapter IV, § 1, ¶ 20 empowers Mayor and Council to specify the time of City elections;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA AS FOLLOWS:

SECTION 1. As authorized by Article IX, § 20, Subsection 6 of the Arizona Constitution, the Mayor and Council refer to the City's voters the following question:

Shall the base expenditure limitation of the City of Tucson be permanently adjusted upward by \$50 million?

SECTION 2. The Mayor and Council call a City special election, to be held on Tuesday, November 5, 2013, at the same time as the City's 2013 General Election, at which the City's qualified electors shall vote on the proposed permanent adjustment to the City's State-imposed base expenditure limitation.

SECTION 3. In compliance with Article IX, § 20, Subsection 6 of the Arizona Constitution and A.R.S. §§ 41-563.03, 19-125, and 16-502, the form of ballot for the special election on the proposed permanent adjustment to the City's State-imposed base expenditure limitation shall be substantially as follows:

SAMPLE BALLOT – PROPOSITION 401

PROPOSITION 401

PROPOSAL REFERRED BY MAYOR AND COUNCIL, PURSUANT TO ARTICLE IX, SECTION 20, SUBSECTION 6 OF THE ARIZONA CONSTITUTION, RELATING TO PERMANENTLY INCREASING THE CITY OF TUCSON'S BASE EXPENDITURE LIMIT, WHICH WAS LAST ADJUSTED BY VOTER APPROVAL IN 1987, IN THE AMOUNT OF \$50 MILLION.

Official Title:

Proposing a permanent increase of \$50 million in the City of Tucson's base expenditure limit, pursuant to Article IX, Section 20, Subsection 6 of the Arizona Constitution.

Descriptive Title:

Permanently increasing the base expenditure limit of the City by \$50 million, beginning with the fiscal year immediately following voter approval. The most recent voter-approved permanent increase of the base expenditure limit was in 1987.

ESTIMATED IMPACT OF PERMANENT ADJUSTMENT TO CITY'S STATE-IMPOSED BASE EXPENDITURE LIMIT

The City's base expenditure limit will be permanently increased by \$50 million.

OFFICIAL BALLOT FORMAT

PROPOSITION 401

PROPOSAL REFERRED BY MAYOR AND COUNCIL, PURSUANT TO ARTICLE IX, SECTION 20, SUBSECTION 6 OF THE ARIZONA CONSTITUTION, RELATING TO PERMANENTLY INCREASING THE CITY OF TUCSON'S BASE EXPENDITURE LIMIT, WHICH WAS LAST ADJUSTED BY VOTER APPROVAL IN 1987, IN THE AMOUNT OF \$50 MILLION.

Official Title:

Proposing a permanent increase of \$50 million in the City of Tucson's base expenditure limit, pursuant to Article IX, Section 20, Subsection 6 of the Arizona Constitution.

Descriptive Title:

Permanently increasing the base expenditure limit of the City by \$50 million, beginning with the fiscal year immediately following voter approval. The most recent voter-approved permanent increase of the base expenditure limit was in 1987.

ESTIMATED IMPACT OF PERMANENT ADJUSTMENT TO CITY'S STATE-IMPOSED BASE EXPENDITURE LIMIT

The City's base expenditure limit will be permanently increased by \$50 million.

A "YES" vote shall have the effect of permanently increasing the City's base expenditure limit by \$50 million.

A "NO" vote shall have the effect of not allowing the City to increase its base expenditure limit.

___ YES

___ NO

SECTION 4. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 5. WHEREAS, it is necessary for the preservation of the peace, health, and safety of the City of Tucson that this ordinance become immediately effective, an emergency is hereby declared to exist and this ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, on July 9, 2013.

MAYOR
ATTEST:

CITY CLERK
APPROVED AS TO FORM:

REVIEWED BY:

CITY ATTORNEY
SS/DPM/MR
7/10/13

CITY MANAGER

Una traducción en español de esta ordenanza
se encuentra disponible en la Oficina del
Secretario de la Ciudad.